Bombay Gazette.

Wednesday, October 1, 1817.

Volume 28.] [Number 1426.

A CARD.

MR. LOUGHLIN respectfully, informs his friends and the public, that he has removed from Hummum street to the House next to the Church of St. Thomas, directly opposite to Messrs. WOOLER and Company's; & the premises being commodious and well adapted for the purpose; he also begs leave to communicate, that he will open a Commission Room for the convenience of the public in general, where he will thankfully receive property for sale on Commission, upon the most favorable terms. His Sales at Auction will commence on Tuesday next the 7th instant, and the heads of *particulars for sale* will be stated in next Saturday's Courier.

MICH. LOUGHLIN.

Bombay, 1st October, 1817.

NOTICE.

CAPTAIN MAILLIET respectfully informs the Public, that the French Ship *Sophie* bound to the Mauritius and from thence to Bourdeaux, will sail from this port about the 15th October.—Freight and Passages for both places on reasonable terms.

He has still to sell a few articles from his Cargo, as old Ratafia, Scotch Whiskey, Cognac Brandy and 50 Bottles of old Champagne Wine. Also 85 dozen of very old Claret and Margau, which shall be landed if any offers are made.

Bombay, 1st October, 1817.

Public Auction

Continued.

THIS DAY WEDNESDAY, 1st October, 1817, the remainder of the Investment per *William Pitt*, will continue to be sold by Auction, at the Commander's House in Hummum Street, consisting of Wines, Oilman's Stores, Hoffman's Confectionary, Millinery, Ladies Parasols, Gentlemen's and Childrens Beaver Hats, Broad Cloth, Books, Perfumery and Snuff.

The sale to commence at 11 o'clock precisely.

Bombay, 1st October, 1817.

CARD.

MESSRS. BOYCE, KEMPT and Co. beg to acquaint the Public, that the Interest of ARDASEER FRAMJEE in their Establishment ceased on the 31st of July last, and that Mr. CHRISTOPHER BROWN BOYCE has been admitted as a Partner therein from the same period.

Bombay, 24th September 1817.

Messrs. Boyce, Kempt & Co.

ON MONDAY THE 6TH INSTANT,
And the following days,
WILL SELL

By Public Auction,

AT THE
HOUSE OF THE DECEASED,
the
HOUSEHOLD EFFECTS
of the late
William Kennedy Esq.

CONSISTING OF THE USUAL ARTICLES
of
FURNITURE and PLATE;

A NUMBER of Valuable Pictures, amongst which are a set of varnished Prints from paintings by Morland, another representing the Seasons, and a third various naval Engagements.

A Cellar of very choice Wines and other Liquors.

A neat London Built Chariot with Harness.

Two Riding Horses, and a Buggy and Horse.

At the same time will be sold to the highest bidder the Residue of the Lease of the House, Offices, Godowns and Stabling, rented by the late MR. KENNEDY from the late ARDASIER DADY, at 275 Rupees per month, eight years of which are to expire from the 1st of March 1818.

Catalogues of the whole will be circulated prior to the commencement of the Sale.

Bombay, 1st October, 1817.

Sale of Presents.

NOTICE is hereby given that at 12 o'Clock on Thursday next the 2d Instant will be disposed of by public auction at the Civil Pay Office, a Bag of Coffee and 1 Jarr of Sweetmeats on the Honourable Company's account.

By Order of the Right Hon'ble
the Governor in Council,
BOMBAY CIVIL PAY OFFICE, J. BEST,
1st Oct. 1817. Civil Pay Master.

NAUTICAL CHRONICLE & NAVAL REPORT.

ARRIVED.—Sept. 27th, Ship Sir Evan Nepean, Capt. John Boug from Suez.—Ditto Ship Jemima. Free Trader, Captain M. Danby, from London.—28th, the H. C.'s Extra Ship Carmarthen, Captain James Ross, from London—Passengers:—Capt. Snouldham, Mrs Shouldham, Miss. Campbell, Miss. Fawcett, Miss Tyndale, Miss. Morris, Dr. Balquin, Mr. Butchart, Mr. Fenwick, Mr. Stephen Siedet, Mr. G. Plaisted, Mr. C. McLeod, Serjeant Major Lawrence, Edward Cotton, Mrs. Cotton, Catherine the wife of Michael. —29th, the H. C.'s Extra Ship Huddart, Captain Charles Weller, from England, left 15th May 1817—Passengers:—Frederick Walker, Cadet, C. Conyngham, Cadet, Wm. Jacob, Cadet; Jno. Warlow, Free Mariner, A. Steel, Free Mariner.

SAILED.—September 25, Ship Lady Barlow, Captain Wm. Roy, to Point de Galle and Calcutta.—Ditto 26, Ship Traveller, Free Trader, Captain A. Hutcheson to Penang. Ditto Arab Ship Durria Beggy, Nacqudah Abdulla bin Woomer, to Bengal.—Ditto Brig Prime, Captain Wm. Lewes, to Pulo Penang.—29th, Ship Lonack, Free Trader, Captain Wm. Driscol, to London—Passengers:—Mr. and Mrs. Brown, 3 Children, Dr. Briggs.

The Gazette.

WEDNESDAY, 1st OCTOBER 1817.

By the peculiarly welcome arrival of the Sir Evan Nepean, from Suez, we are enabled, thro' the great kindness of our friends, to communicate intelligence of a very late date, from Europe. We are not, however, as yet prepared to express our decided sentiments whether we ought or ought not to congratulate our readers on the state of public affairs at home. That Ministers have a most perilous course before them is, we think, but too clear; and as far as we can yet judge, the democracy is not only gaining strength, but the constituted authorities of the Empire are losing that weight and importance they ought ever to possess in the public mind.

The heat in England had been excessive. On the 24th of June and the two following days, the mean temperature, in London and Westminster, was 83 and 84 in the shade, and from 108 to 110 in exposed situations. On the 25th nine horses lay dead on the Epsom road from the excessive warmth of the weather.

The number of persons detained on suspicion of conspiring against His Majesty's Government amounted to 31.

The bill for legalizing the sale of game had been thrown out in the lower house.

The report of an intended dissolution of Parliament at the close of the Session had been alluded to in the House of Commons and contradicted.

The Bill for the renewal of the Habeas Corpus passed the House of Commons after much debate. The division on the third reading was as follows.—Ayes 195—Noes 63.

Lord Aberdeen is to be Ambassador at Vienna, and Lord Stewart at Petersbourg.

By accounts from Paris dated the 25th of June, the Princess of Wales was at Rome.

Prince Talleyrand was on his way to the waters of Bareges.

M. de Choisseul Gouffier, Peer of France, died lately at Aix la Chapelle.

The health of Madame de Stael was still in a very precarious state.

A Letter from Bayonne under date the 26th of June, states, that a Traveller from Portugal mentioned that the conspiracy in Lisbon has many accomplices in the Provinces, that many arrests had taken place in Coimbra, and that several English Officers in the Portuguese Army had been assassinated.

A Russian Squadron consisting of eight 74 gun Ships, a frigate of 44 and a brig of 18 had arrived at Calais, to take back the 6th part of the Russian contingent from the Army of occupation.

The French Court it is rumoured will remain in Paris till after the accouchment of the Duchess de Berry, after which event it is thought it will remove to Fontainbleau.

Mr. Leach it seems has declined the office of Solicitor General upon the terms proposed, which were his being returned as a member of the House of Commons. Mr. Gifford has in consequence been appointed Solicitor General.—[*Chro. May the 9th.*

Lord Binning in the House of Commons on the 25th of June adverting to the recent condemnation of a vessel in the Recorder's Court at Bombay, the effect of which was to declare that the whole of India was subject to the operation of the Navigation Laws, and thus to interrupt the whole of the trade there under, moved, that the House should resolve itself into a committee to consider the Navigation Laws as they affected the trade of the several countries within the limits of the company's charter. The House resolved itself into a committee, accordingly, and leave was given to bring in a Bill to except East India trade from certain provisions of the Navigation Laws.

The Duke of Clarence had been again seriously indisposed, but was better on the 28th of June.

Mr. Becket had succeeded Mr. Manners Sutton, as Judge Advocate.

On the acquittal of the Elder Watson, of the charge of High Treason, the prosecution of the other prisoners was abandoned.

A duel had been fought between Sir Robert Staines of the navy and Major Holbruck, and there is great danger that the wound Sir Thomas had received would deprive him of his only arm.

Cobbett had published a short address to the people of America, complaining of the publications in the aristocratic prints in America, and of the misrepresentations against him in the hireling Prints of London. He has announced his intention when he has digested his plan, to publish a prospectus of his future literary labours.

William Lewis Esq. formerly of the Civil Service on this Establishment and of Council, died in England in the month of May.

The *Jemima* Captain Danby, the *Carmarthen* Captain Ross, and the *Huddart* Captain Weller, have arrived since our last.

The *Orpheus* had reached England, and was coming out again with all possible despatch.

The Asia will sail, if possible, for England on Sunday week the 12th of October. She is not a King's Packet, but such of our readers as may be desirous of writing by her, will have an opportunity of doing so, since Messrs Remington & Co. will kindly receive any letters sent to their office by 4 o'clock, P.M. on Saturday the 11th.

We hear that the fortunate holders of No. 3415 in the Calcutta Lottery, lately drawn a Prize of a Lac of Rupees, are Mr. Bruce, Collector; and Captain Brice Lee, Paymaster; both of the Madras Establishment.

We are happy to find that the Favorite Comedy of the Rivals, is under rehearsal by the Amateur performers, whose liberal and kind exertions to promote the rational amusement of the Society cannot be too much applauded, and that Friday the 10th of October is fixed on for the representation.

The Hannah from this port arrived at Liverpool, all well, late in May, and was to sail again on her return the 7th or 8th July.

The Favorite arrived the 24th May from the East Indies; left St. Helena the 26th March. Buonaparté was in good health; but he refused to receive the strangers who were on the Island.

Cobbett had arrived at New York and General Lallemand at Boston. The Lord Mayor has been elected a representative for the city, in the room of Alderman H. Combe, who has vacated his seat.

The Lord Sidmouth sailed for Bombay the 17th May.

The Buckinghamshire and Earl Balcaras, reported at the Custom House London 12th May.

The Albinia and Lord Sidmouth were at London, loading for this Port when the Jemima sailed.

[*The Courier Extra.—September 23.*

English Extracts.

We received this morning New York Papers to the 5th of June, and Boston to the 7th inclusive.

"Boston June 7th.

From Pernambuco.—Captain Gregorson, a passenger in the Belvidera arrived from Pernambuco which he left April 17th and communicated to the keeper of Merchants Hall Books, the following information.

The Government of Pernambuco had an armed brig at anchor off the port, but on the appearance of a blockading squadron from St. Salvador, she returned into port. The Government was also fitting out another brig and two gun boats; but there was no probability of their going out.

A Ship of 32 Guns, and another of 18 had arrived off Pernambuco, and effectually blockaded the port. The American vessels off the port were ordered by the squadron to depart in 24 hours; and the Patriot Government had forbidden them to depart; but after some consideration gave them passports to sail.

Accounts from St. Salvador represented that the inhabitants were in favor of the Royal Government; and that not the least symptom had appeared that they were in favor of the patriotic cause at Pernambuco; on the contrary they were volunteering their services to march against that place to subdue it to the Royal authority. The two Ships off Pernambuco were manned with 600 volunteers. The Governor of St. Salvador had been so very active; and had taken such precautionary measures, that not the least alarm prevailed that the inhabitants would follow the example set by Pernambuco. The troops had been allowed double pay and rations, and were very well satisfied. A small place to the Southward of Pernambuco which revolted had been subdued by the Royalists; and the patriots were about sending a force against it; when the blockading squadron appeared and prevented.

Every exertion was making at Pernambuco to repell the Royalists should they attack the place. Many of the inhabitants were dissatisfied with their situation, and appeared desirous of returning to their former Government. All the cash in the Treasury had been removed to the outskirts of the town, where the troops were encamped. The inhabitants were in great confusion when the above vessels sailed."

"London, July, 1st 1817.

The proceedings in the House of Commons were terminated abruptly last night, by an event which all men will regret, who regret that any disastrous event should happen to a man, whom every one views with sentiment of respect and regard for the amiable and virtuous qualities that adorn both his public character and his private one, Mr. Ponsonby had spoken upon the Irish Election Bill, and the Chancellor of the Exchequer was on the point of moving for the House to resolve itself into a Committee on the Extents in Aid, when Mr. Ponsonby, whilst he was standing behind the Speakers' chair, was suddenly attacked by a fit, and instantly deprived both of speech and motion. His situation was not for some seconds perceived, but upon it being discovered, Mr. Arbuthnot instantly moved an adjournment and the gallery was cleared; but the Speaker, the Chancellor of the Exchequer, and most of the Members remained in the House. Mr. Ponsonby was removed in the arms of six Members into the apartments of the speakers' Secretary. Medical assistance was instantly sent for, and Mr. Lynn and Mr. White attended. A copious bleeding and other restorative means being immediately adopted, Mr. Ponsonby regained the power of speech, and his relation, Earl Grey, having been sent for, he was conveyed to his house in Curson Street, his Lordship accompanying him.

To the numerous enquiries made at Mr. Ponsonby's this morning, the answer, we lament to say was, that he had passed a very indifferent, night, and was no better this morning.

While the gallery of the House of Commons was cleared last night, for a division, (which did not take place) Mr. Ponsonby became suddenly ill; but as the seizure was accompanied by a

loss of the power of speech, his situation was for some minutes unperceived by the house, when the gallery was re-opened, Gen. Thornton was on his legs to give notice of a motion.

At this moment several Members, who were near Mr. Ponsonby, were standing up around him, and Mr. Arbuthnot, who probably perceived his condition, immediately moved an adjournment, which was carried unanimously. The attention of all the Members in the house were then directed to Mr. Ponsonby, who was carried, still speechless, behind the Speakers Chair. He was there let blood by Mr. White and bled freely. After this relief, Mr. Ponsonby regained the faculty of utterance, and desired that Dr. Warren might be sent for. Messengers were despatched for the Doctor and for Mr. Tegart, but happily soon after Mr. Ponsonby was able to proceed to one of the rooms in the lobby, and finally to leave the house in the carriage of Earl Grey, who came in great haste upon the first intelligence of his friend's danger, and shewed a degree of interest amounting to agitation. All the Members indeed evinced great anxiety. The Chancellor of the Exchequer did not go till he heard Mr. Ponsonby was declared out of danger by Mr. White. The Speaker remained in the house, notwithstanding the adjournment. It was impossible for respect to have been more freely shewn than it was to this excellent man. It was about half past 12 that he was taken to his house in Curson Street.

FRANCE.

Paris June 1st.—The Duke of Wellington, who was yesterday evening expected here from his head-quarters at Cambray, arrived about seven o'clock, with Colonel Harvey and his wife. Two of his other Aides-de-camp, namely, Lieut. Cathcart and Colonel Freemantle, are likewise here. General Alava had arrived the day before yesterday.

Marseilles, June 1st.—News arrived from St. Domingo apprises us, that there has sprung up in that island a third Sovereign, named Groman, who occupies the mountains above Jeremia, and sometimes makes incursions as far as that city. Petion is obliged to send a considerable force to keep him in check. On the other hand, the advanced posts of Petion and Christophe are always in face of each other, though they never come in to action. Petion maintains tranquillity by his policy; but at his death, which appears not to be distant, from his continued indisposition, civil war seems inevitable, so great is the aversion of the Negroes to the Mulattoes. That Chief allows commerce, but he shackles it with exorbitant duties. Merchants are well received in that part of the island which is under his sway, but they can expect no justice when any dispute arises between them and his Government on matters of interest.

Paris June 11th.—We learn from Petersburg, that the Count of Yermoloff has left that City for Persia. It is said that he is charged with a negociation relative to the cession of some provinces on the Caspian Sea, and a free communication for Russian commerce to the East Indies, by traversing the Persian territory.

Paris June 12th.—By accounts from Spain, we learn that the fine Arsenal of Cadiz has been reduced to ashes. The damage is estimated at 10 millions of reals.

Paris June 25th.—According to a letter from Philadelphia, upwards of 20,000 Europeans, who have arrived in that country, have received portions of land, at a very small price, to establish themselves.

Paris June 28th.—We hear from Madrid, that Lord Beresford had arrived in that Capital with despatches of the greatest importance, which were immediately communicated to the King. Several of the Portuguese military, who had withdrawn themselves beyond their frontiers and entered Spain, have been arrested.

By accounts received in Norfolk, (North America) from New Orleans, under date of the 2nd of May, we find a report had been circulated in the latter place, that the Vice Roy of Mexico, Apodaca, had declared in the Independent cause, and that an immense force was under his command, to act either offensively or defensively.

SPAIN.

Madrid May 20th.—The subject which occupies men's minds in the Capital, and throughout the Peninsula, is the approaching execution of a plan of financial administration, or rather of general measures, whose object is to give stability to the public treasure. After long and warm discussions, it appears, that M. de Garay has succeeded in obtaining the general approbation of the system attributed to him, and of which the principal bases are as follows:—

"The *maximum* of the ecclesiastical benefices is fixed at 20,000 reals (5,000 francs, or about 210*l.* sterling.) Half of the revenue of Bishoprics and Archbishoprics shall be consigned to the coffers of the State. The fifth of the product of the signorial rights is equally applied to the State funds."

"A general land-tax shall be laid on all landed property without exception."

"The customs in the interior are suppressed, and there are to be no more except in the frontiers and in the seaports."

"The privileged provinces, such as Biscay, Navarre, &c. are subject to general law."

"The King guarantees anew the whole of the public debt."

Already the Court of Rome has expedited the Bulls necessary for the modifications which concerned the goods of the Clergy. There is no doubt of a reform, in whole or part, of the four Orders of the Bernardins, the Benedictins, the Hyeronimites, and of St. Basil, which are the richest in Spain.

SUNDAY, JUNE 8, 1817.
CONSPIRACY DISCOVERED AT LISBON.

The city was strongly agitated during the whole of last morning by the receipt of advices from Lisbon, brought by the Duke of Kent packet, which unequivocally state the discovery of a deeplaid plot, not only to overthrow the legitimate Authorities generally in Portugal, but also to massacre Marshal Beresford, Don Miguel Pereira Forjaz, and all the English residents in Lisbon on the 5th June (St. John's day), the nominal patron of the Sovereign. Under circumstances which are not fully detailed, this infamous plot was discovered on the 26th of May, by Marshal Beresford himself. The arrangements contingent on this revolution were in a state of considerable preparation. A proclamation was to have been issued at the seasonable moment, declaring the young Duke of Cardaval King, who is not more than about ten years of age; and this appointment was to have been the pretence for appointing guardians in the interest of the malcontents, who would have had the entire management of State affairs, and also might have disposed of his Grace as future situations should allow. The rank and offices of Marshal Beresford were to be conferred on Gomez Fereira, and a sweeping clause was to depose all the members of the present Regency, and every inconvenience having been thus removed, attempts were to be made to conciliate the rest of Europe.

LISBON, MAY 27, 1817.

"I hasten to inform you of an alarming conspiracy which, thanks to the vigilance and energy of Marhal Beresford, has, within the last 24 hours been discovered and crushed in this city. Of the real intentions of the conspirators we are yet ignorant; it is, however, certain, that the first act of vengeance would have been the destruction of the gallant Marshal and Don Miguel de Forjaz, with the whole of the present Regency; and it is also equally certain, that in the expectation of success, an offer of the Crown of Portugal had been made to the young Duke de Cardaval, the next a-kin to the present King, through his mother, who prudently rejected the offer. To complete the sanguinary and treacherous character of this black plot, a general massacre of the English residents was contemplated. Happily the compunction of some of the conspirators has led to the detection of the treason. The Marshal having received intelligence of their proceedings on Sunday evening, seized the whole or most of the ring-leaders in their beds, and at the head of whom, proves to be the intriguing General Don Gomez Ferreira de Andrade. The Marquisses of Abrantes and Valencia, the son of Baron Brancamp, and the Conde de Cunha, with about forty others, many of them persons of distinction, are said also to be apprehended and thrown into the dungeons of the Castle of Belem. Don Gomez Ferreira is lodged in Fort St. Julian, the Governor of which has been superseded, and the command given to Sir Archibald Campbell. The two regiments of Military Police continue to parade the city, and the artillery guns, loaded to the muzzle with grape-shot, are posted in different parts of the town. The conspirators had established printing-presses, and prepared proclamations, all of which are seized. I am happy to add; that the disposition of the troops seems highly favourable, and we hear only of three officers of any rank, who are at present implicated. It is strongly believed that a close connexion has subsisted between these Traitors and the insurgents at Pernambuco, and but for the energy and activity with which the government here have acted, no doubts can exist of the fate which awaited them. The 5th of June, being the Feast of Corpus Christi, was fixed upon for the explosion of the plot.

"28th May. The city continues tranquil, and we now look forward to the early trial and execution of the conspirators. The arrests of Sunday night were so silently conducted, that they did not transpire until the next day; and such is the caution at present observed in the city, that no persons are suffered to converse on the subject in the streets; nor do the police suffer two or three persons to assemble."

THE PLOT AT LISBON.
[FURTHER PARTICULARS]

A general massacre of the English residents was contemplated. Happily the compunction of some of the conspirators has led to the detection of the treason. The Marshal having received intelligence of their proceedings on Sunday evening seized the whole or most of the ringleaders in their beds; and at the head of them proves to be the intriguing Gen. Don Gomez Ferreira de Andrade. The Marquisses of Abrantes and Valencia, the son of Baron Brancamp, and the Conde de Cunha; and about 40 others, many of them persons of distinction, are said also to be apprehended and thrown into the dungeons of the Castle of Belem. Don Gomez Ferreira is lodged in fort St Julian, the Governor of which has been superseded, and the command given to Sir Archibald Campbell. The two regiments of military police continue to parade the city, and the artillery guns, loaded to the muzzle with grape shot, are posted in different parts of the town. The conspirators had established printing presses, and prepared proclamations, all of which are seized. The 5th of June, being the Feast of Corpus Christi, was fixed upon for the explosion of the plot.

The plot appears to have been of the most bloody kind. Lord Beresford sleeps in a remote and lonely part of the palace, destined by the Government for his residence. The first object, was, for a small and chosen party, headedby a Captain of the first infantry, to enter the chamber at night, through the garden, and put his Lordship to death, if possible, without exciting alarm; and from thence to proceed to the house of Don Miguel Fereira Forjaz, Secretary at War and Foreign Affairs, to assassinate him also; after which all the British Officers in the service were to be indiscriminately butchered, the flag of independence hoisted, the proclamations issued, the Castle, Mint, Treasury, magazine, and Arsenal seized; and finally, every possible assistance forwarded to the rebels in Pernambuco, with invitations of fraternization to Bahiam, Maranham, Para, &c. But through the ability and judgment of one man has the whole of this diabolical plot been discovered. Arrests still continue, but it is generally supposed that the plot has a deeper foundation than has yet been reached, or at least publicly made known; however measures for public safety are taken, and every thing is perfectly quiet.

One of the principal conspirators is a Baron Eben, a German, who stands in our Army List as a General in the British service, and Aide de Camp to the Prince Regent.

TRIALS FOR HIGH TREASON.
COURT OF KING'S BENCH.—MONDAY.

On Sunday night the Guards were doubled at the Tower, and on Monday morning orders were issued to prevent all strangers from entering the interior of the place. In consequence of this, yeomen of the guard who were posted at the gate of the entrance leading to the Bloody Tower, prevented all strangers from going that way. The number of persons of extremely genteel appearance, as well as others, that sought admittance and were refused, was very great. A body of yeomen of the guard, to the amount of upwards of forty are on duty in the tower, together with the whole first battalion of the third foot guards. On Saturday Watson was visited by his two brothers, from Lincolnshire, and his three daughters, two of whom are interesting young women; their ages are 20, 17, and 9. Within these last few days he has employed himself in writing matters of a political nature; it appears however, that they do not apply to the immediate business now under consideration. Preston has employed himself in writing a long political tract. On Sunday evening he was visited by two of his daughters, one of whom is 17 years of age, and the other about twelve. The prisoners have not been allowed to hold any intercourse together since their confinement, except through the medium of their solicitor; and up to a late hour on Sunday night, were in excellent spirits, anticipating, as they said, an honourable acquittal. Thistlewood on being apprehended, was deprived of all his wardrobe, and complains of being without a change of dress. On this account, he says, he is determined to appear in court in his sailor's costume. It is said that he possesses a property of 600*l.* per annum. Mr. Wetherell, who is appointed counsel for Watson and Thistlewood, attended upon them early in the week.

On Sunday evening Thistlewood's wife, who is a very elegant and accomplished woman, had an interview with her husband. She was accompanied by her son, about ten years of age. After Mr. Harmer had had a conference with him, he went upon the top of the tower, escorted by two yeomen of the guard; he was recognized by an assemblage of persons congregated on Tower-hill, who gave him three cheers. He was dressed in a sailor's jacket and trowsers. On Saturday Mr. Holt and Mr. Starkie went to see Hooper, and Mr. Lawes and Mr. Rigby saw Preston. Orders were received by all the prisoners, on Sunday night, to be in readiness at a quarter before eight o'clock on Monday morning. They partook of some wine, and appeared very cheerful but were not allowed to have any communication with each other.

Monday morning, as early as half past six o'clock, a considerable concourse of people were assembled on Tower-hill, to witness the conveyance of the state prisoners to Westminster, for the purpose of undergoing their trial. About seven o'clock a strong body of Life Guards arrived, and soon after, the carriages in which they were to be removed. At about twenty minutes after eight o'clock, Watson, Hooper, Preston and Thistlewood were brought from the Tower to Westminster-hall, in four glass coaches. In each coach were four yeomen of the guard and one prisoner; and the whole procession was escorted by two troops of Life Guards. They passed over London-bridge, through the Borough, and over Westminster bridge. When they arrived in palace yard, the prisoners got out of their respective coaches in the order in which we have mentioned their names, and were conducted, each between two yeomen of the guard, through a lane of constables, to the wicket at the great entrance into the Hall. On the gates of the Hall being opened, at a quarter after eight, it was discovered that a large and strong railing had been thrown across the Hall, from the Treasury steps, to prevent the pressure of the crowd and interruption of the law officers in their passage to the court. All access to the Court of King's-Bench, through the Hall, was cut off by a strong and high partition, running entirely across from the western side of the Court of Common Pleas. Access to that Court and the Court of Exchequer remains open as usual by the great eastern door, but is totally cut off from the Court of King's-Bench and Chancery, and the House of Lords and Commons. The entrance to the Court was therefore from the street opposite Westminster-abbey. The Jury were admitted from that direction into the Court of Chancery, which was assigned for their place of accommodation. The Grand Jury-room was assigned for the witnesses, & the gentlemen of the bar were admitted into the Court by the door at the head of the stone stairs leading into the transverse passages to the Houses of Lords and Commons. A great force of constables and police officers was on duty at an early hour to preserve order. Detachments of the life-guards also had been out since 5 o'clock; one detachment was to proceed, under the command of Lieutenants Martin and Grieve, to the Tower.—At half past eight o'clock there was a tremendous crush at the doors of the court, which was immediately followed by the entry of barristers, who took their seats at the back part, reserving two clear banches for the counsel on the part of the crown and the prisoners.

At twenty minutes to nine o'clock, Watson was ushered into court by a party of the yeomen of the guard. He was dressed in a suit of black, and carried under his right arm a bundle of papers; he bowed respectfully to the court, and took his seat immediately behind the bar.

The Captain of the yeomen or gentleman gaoler, and the Lieutenant of the Tower, took their seats to the left of Watson. Preston was next ushered into court, attended by another party of yeomen of the guard; he was also dressed in black, he appeared cheerful, and cordially shook hands with Watson; a party of yeomanry also escorted him. Hooper next made his appearance, and was dressed in black; he also shook hands with Watson and the rest. Thistlewood came in last; he looked ill; was dressed in a soldier's jacket and trowsers, and wore a black handkerchief. He manifested a great anxiety to speak to Watson, and on his approach to him, shook him heartily by the hand. Sixteen yeomen of the guard sat by the side and behind the prisoners.

On taking their seats without the bar, the yeomen took their stations behind them, and on each side of them. The deputy warden of the Tower sat on the left of Watson; and the prisoners occupied in close conversation.

At nine o'clock the King's counsel took their seats, and in a few minutes afterwards the Judges arrived.

Mr. Serjeant Copley immediately addressed the Court, and said that the front row of the barristers' benches were so occupied, as to prevent the counsel for the prisoners from receiving that accommodation which was necessary for them to discharge their duty to their clients.

Lord Ellenborough: What would you wish?

Mr. Serjeant Copley: My Lord, if the yeomen, who sit on each side of the prisoners, will sit in the next row, that will answer the purpose.

Lord Ellenborough: You may make any arrangement satisfactory to yourself.

The Attorney-General: My Lord, in consequence of Mr. Wetherell, one of the counsel for the prisoners, having informed me that the prisoners intend to assert their right of challenging the jury, I have to move that they be tried separately.

Lord Ellenborough: You certainly have that right.

The Attorney General: It may be necessary that I should state which of the prisoners I shall prefer to be tried first. It is my intention to propose, that Mr. James Watson, the elder, be tried first. As I am desirous, however, that the other prisoners should remain in court, in order that they may be seen by the witnesses, your Lordship will, perhaps, suffer them to sit in the second row; and this will afford the accommodation desired by Mr. Serjeant Copley.

Digitized with financial assistance from the
Government of Maharashtra
on 28 June, 2017

Lord Ellenborough: Be it so—Mr. Serjeant Copley, this will, perhaps, meet your wishes.

Mr. Serjeant Copley: Perfectly my Lord.

Thistlewood, Hooper, and Preston then drew back, leaving Watson alone in the front seat, with one yeoman and the deputy warder of the Tower by his side.

Mr. Barlow, Secondary of the Crown-office, then proceeded to call over the panel; several applications were made by individuals to be excused attending on the plea of ill health, &c.

The following jury were at length sworn:—

Thos. Allman, Prince's-street, Conduit-street, bookseller.

Robert Norton, Pickett-street, Temple-bar, button-maker.

John Tomkinson, Bedfordbury, boot-maker.

Peter Richardson, Charing-cross, lottery-office-keeper.

John Bryant, Wapping-street, anchor-smith.

Sam. Kell, Red Lion-street, carpenter and undertaker.

Rd. Ramsden, Brook-street, Holborn, capillaire-maker.

Wm. Phillips, Holborn, ironmonger.

Thos. Wilkes Barker, gent. Kirby-street, Hatton-garden, Rd. Perkins, Red Lion-street, Holborn, shoe-maker.

Wm. Hacklock, Holywell-street, Shoreditch, carpenter.

Sam. Knight, High-street, Nortonfalgate, druggist.

Mr. Barlow, the clerk of the Crown, charged the jury with the prisoner, and after reading the indictment by which he was accused of high treason, addressed them in these words:—"To this indictment the prisoner, James Watson the elder, has pleaded not guilty, and for his trial has put himself upon God and his country, which country you are. Your charge is to inquire whether he be guilty of this high treason, in manner and form as he stands indicted, or not guilty. If you find him guilty, you shall inquire what goods and chattels, lands or tenements, he had at the time of the said high treason committed, or at any time since. If you find him not guilty, you shall inquire whether he fled for it. If you find he did fly for it, you shall inquire of his goods and chattels, as if you had found him guilty. If you find him not guilty and that he did not fly for it, say so, and no more, and hear your evidence."

Lord Ellenborough inquired whether it was desired by the Counsel for the prisoner, as three distinct species of treason were stated in the indictment, and the overt acts of each were the same, to have them proved repeatedly, or whether the evidence respecting them might be received as equally applicable under each particular head?

Mr. Wetherell signified that he entertained no wish to trouble the court unnecessarily by a repetition of the same evidence. It was then agreed that the evidence called should be applied only to those counts charging the treasonable matter.

Mr. Shepherd, jun. opened the pleadings, but did not think it necessary to make any observation upon the facts so fully set forth in the indictment.

The Attorney-General then rose and addressed the Court in a speech of near four hours duration.

After his speech was concluded, the Counsel on the part of the Crown began to call their witnesses. About five o'clock, when seven witnesses had been examined, Lord Ellenborough made the following communication:—"The Court wish it to be distinctly understood, that no part of the present proceedings are to be published pending the trial; and if any such publication take place, the Court will feel it a duty to animadvert upon it as a contempt." A gentleman connected with our establishment then addressing himself to their Lordships, stated that the conductors of "The Observer," not anticipating such an order, had by an extensive arrangement, and sending six gentlemen of their establishment to report for their Monday Edition, obtained the proceedings in that Court to within an hour, including the Attorney-General's Speech to the extent of upwards of five columns—that several thousand copies of The Observer had already been published, many of which had been sent off by post to distant parts of the country. Under these circumstances, and in perfect ignorance of the wishes of the Court, our Reporter expressed a hope that what he had stated would not be deemed an infraction of the order then promulgated.

Lord Ellenborough: "I will not pronounce this a contempt; but the order must be understood to apply to any publication after this notice."—Mr. Justice Bailey said it was too late to remedy what had passed; he feared that some thousand copies had been issued; but trusted that this order would not, after that public notice, be disobeyed by the publication of part of proceedings until the trial was concluded.

TUESDAY.—The trial of James Watson, the elder, was resumed. At half-past eight o'clock all the prisoners having come attended by the usual escort, were placed at the bar. On coming into Court they cordially shook hands with each other, and appeared in high spirits. After which Thistlewood, Hooper, and Preston entered into earnest conversation, while Watson was wholly engaged with his papers, on which he occasionally wrote. At nine o'clock the Jury, who had been accommodated at the King's Arms Tavern, Palace-yard, with beds, under the care of four officers, previously sworn not to suffer them to have communication either by writing or in any other way, with any persons whatever, entered the Jury-box.

About a quarter after nine o'clock, Lord Ellenborough and the other Judges entered the Court, and the Jury having been called over, the trial proceeded.

Earl Grey and Mr. Lambton came into Court at an early hour, and remained till it rose. Lord Ellenborough said, that as the business of the term had been suspended by these trials, it would be convenient that the Court should rise at half-past five to-day; and that a Judge should sit at eight o'clock to-morrow morning for the sake of expediting general matters. In the course of the day Marquis Camden, the Duke of Leeds, Lord Holland, Lord Grosvenor, and Lord Donoughmore, appeared in Court. Mr. Gordon M. P. and Mr. Bruce sat in the student's box. As their Lordships were about to retire, one of the Jury asked, whether they might not have their private friends and servants to see them, in the presence of the officer; they would not, of course, presume to speak to any person on the subject of this trial. Lord Ellenborough said, they might certainly have any part of their family to see them, on matters of business, in the presence of the officers. The Court did not wish, nor did the law require, that their private concerns should be injured by their serving on the Jury; but they would carefully abstain from any conversation with reference to the proceedings before the Court.

WEDNESDAY.

This morning the State Prisoners arrived at Westminster at about a quarter past eight, and having been brought into Court, Watson was placed as usual in the front, and the others immediately behind him. They shook hands together, and appeared to be provided with refreshments, and were in high spirits; they were attended by sixteen yeomen of the guard. At half past eight Mr. Justice Bailey took his seat on the bench, for the purpose of disposing of several common motions, and at nine o'clock the Chief Justice and the other Judges entered the court. At the same time the Attorney General, the Solicitor General, Mr. Topping, Mr. Gurney, Mr. Richardson, and Mr. Shepherd, for the prosecution, came in, and when Mr. Wetherell and Mr. Serjeant Copley had taken their seats, the trial proceeded.

Charles Mills, of Torne's court, Somers Town, a patrol of Bow-street, was examined by the Solicitor General.

John Castle was afterwards examined, and his examination occupied the whole of the day.

At seven o'clock Lord Ellenborough asked the counsel for the prisoners, whether they meant to proceed in the cross-examination, as the examination in chief was finished.

Mr. Wetherell said he was impressed with the necessity of asking the witness a few questions, at the same time that he felt the fatigue under which the court and jury must suffer, if he proceeded at length into the cross-examination of the witness. After so long examination as had already taken place, it could not be supposed that his examination of Castle could be short: he would proceed to the usual hour at which the court adjourned, and resume in the morning.

The Attorney General objected to any suspension of the cross examination. It was open to the counsel for the prisoner either to proceed now or to-morrow.

Lord Ellenborough said, that the court were prepared to hear him go on; but at the same time they were ready to accommodate the counsel for the prisoner.

Mr. Wetherell submitted to the court, that in a case so infinitely important they would direct that the witness Castle, who appeared on the return of the list of witnesses to be in custody, should not be permitted to have communication, directly or indirectly, with any person previous to his cross-examination.

Lord Ellenborough did not see how the court, with regard to precedent, could make such an order; but he thought Mr. Wetherell could best rely on the assurance of the Attorney Gen.

Mr. Attorney General said, that he was sure the court would agree with him in thinking, that Mr. Wetherell had asked no more than what was right; and after hearing their lordship's opinion, he felt it his duty to give a positive order, that the witness, Castle, shall not on any pretence have any communication whatever on the subject of the trial, till after his examination.

In the afternoon, while Mr. Gurney was examining Castle, Mr. Stafford brought into court a considerable number of pieces of paper, with the following and various other inscriptions on them. "Britons arise! No poverty in a plentiful Country." which he stated were circulated in great numbers throughout the Hall. They were immediately handed to the Attorney General, who rose and addressed the court immediately: "He should at all times be extremely sorry to interrupt the proceedings of the court, but more particularly upon an important occasion like the present; but seeing the Sheriff in court he hoped that gentleman would excuse the liberty he took in suggesting that more than ordinary caution ought to be exerted in the Hall, to prevent the infraction of the public peace, when papers of the very dangerous tendency of those produced were in circulation."

On the swearing of the officers to keep the jury from any communication, one of them observed, that if detained in the court all day, and in seclusion all the evening, he feared the proceedings would be still further deferred by some of them being at length obliged to require medical assistance.

The court felt for their situation, and would endeavour to afford every convenience compatible with duty. It was better not to say more in court. The officer attendant on the jury was ordered to attend their lordships in their chamber.

The Sheriff now quitted the court, and the proceedings of the day finished without any interruption.

The prisoners, on their return from the court, the moment they entered the Hall, were received with loud huzzas from the surrounding multitude, which were repeated in Palace-yard, and continued to Westminster-bridge. [*The Observer, June,* 15.

RESIGNATION OF MR. ABBOT.

HOUSE OF COMMONS, FRIDAY.—About four o'clock the House was crowded, there being 260 members present. Mr. Dyson, the Deputy Clerk, stated that he had received a letter from the Speaker, which, with the leave of the House, he would read (cries of hear, hear, hear!) Mr. Dyson then read—

"Palace-yard, May 30, 1817.

"Sir,—It is with the sincerest concern and regret that I feel myself obliged to request, that you will inform the House of Commons, at their meeting this day, of my inability, from continued illness, to attend any longer upon their service. After holding the high office to which I have been raised by their favour, in five successive Parliaments, it is impossible that I should resign so honourable and distinguished a situation, without feeling the deepest gratitude for the constant kindness with which they have been pleased to accept and assist my humble endeavours to discharge its various and arduous duties.—It was my earnest wish and hope to have continued longer in the service of the House if such were their pleasure. But the interruption of public business which has been already occasioned by my state of health, and the apprehension of the same cause recurring, which might again expose the House to the like inconvenience, have made me deem it necessary that I should retire at this time, and have left me now no further duty to perform, than to return my heartfelt acknowledgments to the House for all the favours they have bestowed upon me, and to express my fervent wishes for the perpetual maintenance and preservation of its rights, its privileges, and its independence.—I am, Sir, "Always most truly yours,

CHAS. ABBOT."

"To J. Dyson, Esq. Deputy Clerk, House of Commons.

Lord Castlereagh said, that after the communication which the house had just heard, combined with the recollection of his uniform conduct, there could be, he apprehended, no difference of opinion as to the great merits of the Speaker, or as to the propriety of accepting his resignation. Hear, hear.) From the able, dignified, and conciliatory manner in which the Speaker had discharged the arduous duties of his office, at once reflecting the highest credit upon his character, and affording the utmost satisfaction to the house, all who heard him must regret the resignation of that highly respected and universally esteemed individual. (Loud cries of hear, hear, from all sides of the house.) The loss, indeed, of such an officer, he felt no doubt, in common with the house, it would be extremely difficult, if not impossible, adequately to supply. (Hear, hear, hear.) The Noble Lord concluded with proposing an adjournment until Monday, when probably he would be authorised to make a communication to the House, which would mark the estimation in which the Speaker was held by the Illustrious Personage at the head of the Government, and which would enable the House to proceed at once to the election of another Speaker. The motion of adjournment was agreed to.

[*The Observer,—June* 1.

LAW INTELLIGENCE.

COURT OF KING'S BENCH, MAY 24.

THE KING V. R. G. BUTT.

This morning the above defendant was brought to trial for the Libel on Lord Ellenborough, contained in the following placard, which has been so conspicuously posted throughout the Metropolis.

FAIR PLAY'S A JEWEL.

Whereas, Lord Chief Justice Ellenborough has committed a robbery of 1000*l.* upon me, by passing sentence to make money, and put the King's fines into his own pocket, instead of going into the public treasury; I do hereby placard him, as a disgrace to the Bench of Judges, to the society of Gentlemen, and to the nation at large.

212, Oxford-street. R. G. BUTT.

The Attorney General, after expatiating on the enormity of the offence, called the witnesses to prove the case. He first proved the conviction of the defendant and others for the Stock Exchange Conspiracy, and then called a bill-sticker named David Tulip, who proved that he posted copies of the placard in question in several places about town by the direction of the defendant.

After the case, on the part of the prosecution, was gone through, Mr. Butt entered on his defence. He said he had been imprisoned for twelve weeks, and during a great part of that time in a room with six felons. It would be for the Jury to consider, not merely the fact of publication, but whether, under all the circumstances, the paper amounted to a libel or not. He should shew to the Jury the just cause he had to placard Judges and Ministers of State. He would prove that Lord Ellenborough had made private use of the King's money, and that the gaoler of the King's Bench assisted him in the transaction—and it could not be doubted, that the person who made a private advantage of the King's money ought to be exposed.

The defendant then proceeded to call witnesses, of whom an immense number, upwards of sixty, were in attendance. He examined William Filewood, one of the turnkeys of the King's Bench, Thomas Gibbons, tipstaff to the Court, the Honorable Mr. Bennet, Mr. Fern stock-broker, Mr. Bond, banker, and several others—but the questions, he put to the witnesses had no relation whatever to the libel with which he stood charged.

Mr. Justice Abbott, who tried the cause, then charged the Jury, who without much hesitation, returned a verdict of *Guilty*.

The Attorney General then opened the second case, and called witnesses to prove the publication of the libel against Lord Castlereagh. Mr. Butt, in defence solemnly protested his innocence of any part of the Stock Exchange fraud; the assertion of Lord Castlereagh was, he said, untrue and unmanly; and had he been at liberty, and thus on equal terms with his Lordship, he (Mr. Butt) would have convinced him, as he yet hoped to do, that he was a gentleman, who had always been governed by principles of honour and integrity, and deserved the satisfaction which, under such circumstances, as a gentleman he had a right to expect. In the delivery of this sentence the defendant became extremely animated, and warmly entreated the Jury to give him credit when he asserted, that he was incapable of the base practices laid to his charge. Before the Stock Exchange fraud he lived upon his fortune, and though he had speculated, he had never resorted to any unfair means of raising or depressing the market.—The Jury returned a verdict of *Guilty*.

The Court was extremely crowded. On the Bench were Lord Holland, the Chancellor of the Exchequer, and the Lord Mayor. In the Student's box we observed the Hon. Mr. Bennet, M. P. Sir Francis Burdett, and Mr. Mellish, M. P.

HOUSE OF COMMONS, MAY 2.

BREACH OF PRIVILEGE.

Mr. Bennet said, that it was with great concern that he felt it to be his duty, as the Chairman of the Committee appointed to inquire into the State of the Police of the Metropolis, to bring under the consideration of the House a breach of Privilege contained in a Book recently published, and which had been sent to the Committee by the Author, purporting to be "A Vindication of the Magistrates acting in and for the Tower Division, from the Charges contained in a printed Work, entitled, 'The Report of the Committee on the State of the Police of the Metropolis; together with the Minutes of Evidence taken before the Committee of the House of Commons,' By Thomas Thirlwall, M. A. Rector of Bowers Gifford, Essex; and Magistrate for the Counties of Middlesex and Essex."—Without making any comment on the general tone of the work, which was by no means respectful towards the Committee, he would only observe, that several passages were so extremely offensive to the feelings and hostile to the privileges of the Committee, that it was thought fit to summon Mr. Thirlwall before them, to require some explanation of conduct. When Mr. Thirlwall appeared before the Committee, he avowed himself to be the author of the work in question. But before he (Mr. Bennet) proceeded to state what had taken place on that occasion, he would request the Clerk to read from the book the passages which were the subject of complaint.

The Clerk accordingly (after repeating the Title of the Work) read as follows:

"I have inquired into the constitution of these Committees of the House of Commons, and the mode of their proceedings, and I have no doubt others will be surprised as well as myself at the description. My impression was, that a Committee is composed of a number of Members who personally attend, that the evidence of every witness, and the whole entire evidence of each witness, are entered in the Minutes, *literatim et verbatim*, and printed for the use of the House.

"My information, however, has taught me that my impression is most erroneous, and that this was not the mode at least pursued in the examination of witnesses, upon the charges against the Magistrates of the Tower Division. During the examination of several of the witnesses, the Chairman only was present. Mr. Calvert is the only Member I could learn who did assist him occasionally, when the House of Hanbury was in question. This Honourable Member very much wished Mr. Fox, of Shadwell, to give his evidence, but the private explanation of that Gentleman induced him not to insist upon it.

"A considerable part of the evidence given in was not entered on the minutes, and a very material part that was offered was not accepted. I have not the smallest knowledge of the Chairman, other than by his occasional speeches as an Opposition Member, by the name of Captain Bennet, from which I infer he has not dedicated much of his time to the profession of the law, and directed his studies to the nature of legal evidence.

"It is pretty well known my loyalty to my King and attachment to the Constitution, and I had almost said enthusiastic admiration of its forms. I have contributed my part in the worst of times to its safety. I hope, therefore, that my observations will not be tortured into any intentional disrespect to the Committee. I acknowledge its authority, and bow to its decisions. But when I make this declaration, it does not follow that I am bound against my conscience to admit either candour or impartiality in the proceedings, or that if the body of Magistrates are to be tried, I should not prefer Mr. Beaumont bringing his charges before my Lord Ellenborough, rather than before a Committee of the House of Commons, with even Capt. Bennet in the Chair. I am not partial to the Committees in the time of Cromwell, nor to the Committees in France in the time of the Revolution. I do not wish to be tried by Committees. I protest against a trial by Committees, Inquisitions, or Star Chambers."

Mr. Bennet proceeded to state, that when Mr. Thirlwall appeared before the Committee, some explanation was required from him of the passages which had been read by the Clerk.—He would pass over that part of the explanation which related to himself personally, and confine himself to that which regarded the last paragraph which had been read by the Clerk, beginning with "It is well known my loyalty to my King, and attachment to the Constitution," and ending with "I protest against a trial by Committees, Inquisitions, or Star Chambers." The Committee observed to Mr. Thirlwall that this passage contained an inuendo strongly pointed against them, and proceeded to ask for explanation on the subject.—The Honourable Member proceeded to read the interrogations and replies, which were to the following effect:—

Q. What grounds had you for accusing the Committee of want of candour and impartiality?—I deny doing so.

Q. Do you wish that to stand as your reply?—Yes.

Digitized with financial assistance from the Government of Maharashtra on 28 June, 2017

Q. How do you reconcile that denial with the comparison of a trial by the Committee, and a trial before my Lord Ellenborough?—I merely stated that I preferred the one to the other.

Q. did you not, in the passage just read, mean to insinuate that the Committee had neither candour nor impartiality?—I object to any question tending to criminate myself.

Q. Having stated, that you prefer a trial by jury to a trial by Committee, you add, "I am not partial to the Committees in the time of Cromwell, nor to the Committees in France in the time of the Revolution. I do not wish to be tried by Committees, I protest against a trial by Committees, Inquisitions, or Star Chambers." What was your meaning in that passage?—I meant that which I stated.

Q. Did you mean to assimilate the present Committee to Inquisitions or Star Chambers?—No. No such thing. I had no idea of the kind.

Q. What then did you mean?—I meant to fill up a period.

Q. It is likely that this subject will be brought before the House of Commons. Do you mean to stand by the answers which you have just made:—I do.

Q. Have you any thing to add to what you have stated?—No.

The Committee endeavoured in this examination to induce the Reverend Gentleman to make such an explanation and apology as might render it unnecessary to submit the matter to the consideration of the House, but in vain. He must say also, that Mr. Thirlwall's manner and tone on the occasion were the very opposite of what might have been expected. That morning, however, he had tendered to the Committee an explanation of the obnoxious passage, and some of the replies in his examination. With respect to the insinuation that the Committee had neither candour nor impartiality, to the question on which he had answered that he objected to any question tending to criminate himself, he now expressed his contrition for the passage. With respect to his answer to the question relative to the Inquisitions or Star-chambers, that he meant to fill up a period, he now corrected it by stating, that it was a rhetorical figure of speech; and that he had no intention of instituting a comparison between the Committee and the Inquisition—or the Star-chamber. He added, that perceiving the publication had given offence to the Committee, he had directed his publisher to stop the sale of it. Taking, however, the whole nature and circumstance of the transaction into their consideration, the Committee deemed them to be of such importance as to require that they should be laid before the House. He wished to be entirely guided by the House with respect to the farther proceeding which it might be advisable to adopt on the subject, his only anxiety being that the privileges of Parliament should not be compromised on the occasion. The first step, however, would be to require the attendance of Mr. Thirlwall in the House. As the Reverend Gentleman lived at some distance from town, and as he had his clerical duty to perform on Sunday, it might, perhaps, be inconvenient to him to attend on Monday, on which day he should otherwise move for his attendance. He would therefore move

"That the Reverend Thomas Thirlwall do attend this House on Wednesday next."

Sir Oswald Moseley, as a Member of the Police Committee corroborated in every respect the statement which had just been made by the Hon. Chairman of that Committee. As he was not a Member of that Committee at the time when the Reverend Gentleman published his book, he was not open to the charge of being influenced by any personal feelings in giving it as his opinion, that as the passage in question was, in his apprehension, a libel on the Committees and the House, it ought not to be passed over without due reprehension. He must add, that if any thing could exceed the impropriety of the Reverend Gentleman's evidence, on being called before the Committee to explain his statements, it was the general impropriety of his whole conduct while before them.

Mr. Lockhart observed, that the House would have ample opportunities of considering whether the work, from which the Honorable Gentleman had read extracts, was a breach of privilege or not. He was totally unacquainted with the parties in the case; but he could not refrain from noticing the peculiarity of the proceedings in the Committee. They were at least unusual, and indeed, he believed, without precedent. The Committee had entered into the consideration of a breach of privilege. Now he always thought that it was the duty of a Committee of that House, or of an individual Member of it, under such circumstances, to make an immediate complaint of the breach of privilege to the House, and to the House alone. He always understood that a Committee of that House could never go beyond its instructions. The Committee in question was instituted to inquire into the Police of the Metropolis, and not into the nature of any breach of privilege. Instead of complaining to the House of the breach of privilege committed with respect to them, they called a witness before them, and entered into an investigation of the breach of privilege themselves. They put questions to this witness not tending to promote the inquiry which they had been appointed to pursue; but to draw from him a confession or a denial of his guilt. He apprehended that Committees of that House were not entrusted with inquisitorial powers of that nature. To him it appeared that it would be extremely dangerous, indeed, if Committees, instead of coming at once to the House, should enter on such investigations. He might be wrong but he was not aware of any instance on record of such a proceeding. If, as he apprehended, it was contrary to the practice of Parliament, it behoved the House to pause before they agreed to the motion made by the Honorable Gentleman. He wished also to ask, with what view the Honorable Gentleman had read the explanation which had been given by the witness of the obnoxious passages in the work? Did he intend to lay it on the Table of the House or not? If he did, it came in the shape of evidence heard by a set of gentlemen in a Committee; which had no right to enter into any such examination; to which the House and the House alone was competent. He hoped that some Honourable Member, more experienced in the usages of Parliament, would favor the House with his opinion on this, to say the least of it, doubtful point.

The Speaker said, he apprehended that the present was the time at which the House should pronounce, whether the passage in the work adverted to, was or was not a breach of privilege. If not, the author ought not to be called on to attend at the Bar. From what had fallen from the Honourable Chairman of the Committee, he did not collect that the Committee had inquired into the actual guilt in that respect of the author of the work. All that the Committee had done, which was not unreasonable, was to ascertain before they complained to the House, whether the party advisedly persisted in the expressions that he had used, or whether he was disposed by explanation to do away that which, if unexplained, might be considered by the House a breach of privilege (hear, hear, hear!) As matters stood, therefore it was for the House to determine, aye or no, if there was a prima facie breach of privilege in the reflections which had been cast on the Committee. If the House determined in the affirmative on that proposition, they would order the attendance of the party at the bar; if in the negative, they would proceed no further in the business.

Mr. Calvert observed, that he had very regularly attended his duty as a member of the Police Committee, and that it gave him great satisfaction to witness the attention and ability of the Honourable Chairman. It was not a fact that the Chairman sometimes examined witnesses alone. The Committee was in general very fully attended. He (Mr. Calvert) vindicated himself from the passage in Mr. Thirlwall's publication, ascribing to him a wish to have the evidence of Mr. Fox of Shadwell, on which the private explanation of that Gentleman induced him not to insist. The simple fact was, that he asked Mr. Fox whether he came to the Committee to give evidence, to which he replied in the negative.

Mr. Wrottesly merely wished to ask if it would be improper to defer the motion before them until the alleged libel should be laid on the table and printed for the consideration of the House?

The Speaker apprehended that a complaint of breach of privilege must in all cases be disposed of at once. Those who were conversant with Parliamentary usage, knew that any publication (generally speaking) reflecting on the proceedings of the House, or of any of its Committee, was a high breach of privilege [hear, hear, hear!]. The only question for the House to determine was, whether or not the extract which had been read by the Honourable Chairman of the Police Committee contained such a reflection.

The Chancellor of the Exchequer was of opinion, that the Honourable motion of the Honourable Chairman ought to be acceded to by the House [hear, hear, hear!]. When the Reverend Gentleman should attend, it would be for the House to take into consideration any circumstances of extenuation which he might submit to them. In his opinion, all that the Committee had done, was, not to extort from the party any improper declaration, but merely to afford him the opportunity of making such an explanation as might induce them to forbear their complaint to the House [hear, hear, hear!].

Mr. Wynn contended, that on the very face of the transaction the House had no discretion to exercise. With respect to any apology that might have been made by the individual in question, the House could take no cognizance of it, for it was not officially before them. It could not consider the explanation of the party either as an extenuation, or as an aggravation of his conduct unless that part of the evidence were reported to them by the Committee. There was but one course to pursue, namely, to agree to the motion.

Mr. Shaw Lefevre bore testimony to the temperate, impartial, and judicious manner in which the proceedings were conducted by the Honourable Chairman [hear, hear, hear!].

Mr. Broderic contended, that the Committee, in the course which they pursued with respect to the subject in question, had not exceeded their authority.

The Speaker suggested to the Honourable Chairman of the Committee, that after the present motion should be disposed of, it would be his duty to move, that there be laid before the House so much of the Minutes of Evidence as related to the explanation given in the Committee. The House being in possession of that explanation, and hearing any thing further that the party might have to state at the Bar, would then be enabled to come to an ulterior decision on the subject. At present the only question before them related to the attendance of the party.

The motion for the attendance of Mr. Thirlwall on Wednesday was then agreed to.

LORD SIDMOUTH'S LETTER.

The numerous other topics of interest which have claimed our attention for the last two or three days, have prevented our noticing, so early as perhaps we ought to have done, Lord Sidmouth's circular letter to the Lords Lieutenant for the suppression of blasphemous and seditious publications. It is indeed a most important document. Why is it that the Liberty of the Press is among the dearest, as it is undoubtedly the most valuable of all our liberties? It is, that the moral being of man craves and demands its natural food, more unceasingly, than even his animal appetites. It is, that the words of soberness and truth invigorate and refresh the mind like the genial showers of spring. It is, in short, that we need perpetual advice and instruction, and information, to prevent our losing the blessings we enjoy, and to fit us for the acquisition of higher and nobler attainments. But no one is so ignorant as not to know that the very well-springs of all knowledge may be poisoned. It is self-evident, that falsehood may be presented to us for truth; that incitements to passion may be substituted for appeals to reason; that we may read and be deceived to our ruin, instead of reading and being enlightened to our best interests and most solid happiness. In all countries, therefore, where the true uses of the Press are known, laws to restrict its abuses are necessary, and have always been enacted. Nay, those very laws are part of the Liberty of the Press; for it is a very weak and mistaken notion of liberty, to imagine that it implies the exclusion of all law. "True liberty," says Milton, "with right reason only dwells." But what can be more opposite to right reason, and of consequence to Liberty, than Blasphemy and Sedition? What is more likely to dissolve the moral ties, to render men savage and barbarous, to render society infinitely more perilous than solitude, to render crime triumphant and wanton, virtue oppressed and trampled on? This is not a matter of speculation, in the present day: it is a matter of positive proof: and in the massacres and atrocities of the French Revolution we read the perfect demonstration. In England, it may be urged, there is not the same danger. We trust in God there is not; but yet we must not deceive ourselves by a blind partiality. The danger of such publications as those of which we speak may generally be estimated by the number of voluntary readers; for when these latter are numerous, they will not want writers, shameless, conceited, or greedy enough to outdo each other in that particular style of wickedness which happens to suit the popular fancy. At one time it is the person of the Sovereign, against which they level all their audacious ridicules; at another time, it is "the Parsons" (as they contemptuously call the Clergy) who are represented as the source of all evil: then the Judges, the Ministers, the Parliament, the two great parties in the Legislature, the Landholders, the Fundholders; in short every class and order of men except the mere multitude, who are flattered, caressed, honoured with the exclusive title of the People, and told that they alone are respectable, enlightened, patriotic, &c. From such causes, we know, it has happened that the land has been perfectly deluged with blasphemy and sedition. Cobbett, the most wicked and most dangerous author that ever wrote in the English language, has boasted that within six months he has sold considerably more than a million of his Pamphlets, and that by the mode of reading to large parties of poor men, many of them unable to read themselves, one pamphlet served for a hundred or more auditors. Add to this the numerous herd of prodigate scribblers who adopted his sentiments in the hope of sharing his gains. Remember too, that these productions mostly appear on the Sabbath, the day of idleness and leisure, and that they too often stand in the place of Divine service, and of serious meditation. A writer in a Morning Paper has undertaken to explain the changes in the national affairs and character. Yet this great, this tremendous cause of change he overlooks, or at least describes as "a partial influenza. To apprehend serious evil from such a malady he considers as a mere proof of "nervous personal alarm;" and it is in the susceptibility to such alarm among the higher classes that this writer fancies he sees the greatest proof of deterioration in the national character. According to him, it is the higher classes only, that have degenerated from their ancestors, have become selfish, and cowardly, and from their unfounded terrors have been induced "to lay irreverent hands on the Ancilia or sacred shields of the Constitution when no enemy was at hand. Certainly a person who can be so blind to the far more important and extensive change that has been wrought in the minds and character of the populace, is little to be trusted in his opinions respecting the higher classes; but this writer should learn that it is not the higher classes alone, that this alarm, of which it pleases him to speak so facetiously, has pervaded. Every honest and industrious tradesman, every moral and conscientious father of a family shudders when he beholds the mass of impious and anti-social libels which disgrace the Press, and in so many ways tend to corrupt the purity of the youthful mind. With equal reason does this respectable class of society avoid and abhor the seditious and riotous meetings which are now found to be but a part of the same revolutionary system which is fomented by the blasphemous and seditious publications, and crowned by murderous and treasonable conspirations. After all that we have seen of late, it is offering rather too great an insult to common sense to tell us, "it is proved by experience that the frequency of open political discussion, with all its blameable indiscretions, indisposes a people at large to overt acts of resistance and still more to the dark and sullen tricks of conspiracy."—Proved by *experience*! God knows we have had experience enough of this kind, and we need scarcely say it has proved the very reverse.—Political *discussion* too! Very grave deliberate discussions indeed, those of Spafields—and they were followed, it must be owned, by some *indiscretion*. Nay, we have since heard of the *tricks* of conspiracy for burning down Manchester, and murdering its most respectable inhabitants. Tricks! Indiscretions! what has a moral writer to answer for, who thus shamefully perverts language, who palliates, and almost justifies crimes, at which human nature ought ever to shudder? What does it prove, but that he is so bowed down and enslaved to the prejudices of the populace, that he dares not call their actions by the right name? He is their obsequious flatterer, as the professed sedition-monger is their guide and leader. The latter it had at last become imperiously necessary to put down by the strong hand of the law; and we are happy to find that the law can do it so promptly and so effectually. Any Justice of the Peace, it appears, may issue his warrant to apprehend a person charged before him on oath with the publication of a blasphemous or seditious libel, and compel him to give bail to answer the charge. Certainly, if this be not the law of every Christian State, it ought to be so for the sake of religion, for the sake of liberty, which cannot exist when these are gone. Cobbett himself in his wiser and better day would state, "that Christianity is part of the law of the land; that to deride and blaspheme it is punishable by the Common Law; and that it is the duty of all Magistrates to make the law in this respect known and *to see it executed*." True it is, that this is giving the Magistrate a certain discretionary power. He may *possibly* consider a writing to be seditious, which, though sworn on oath before him to be so, may ultimately be held not to be so; but without some such discretion no laws whatsoever can be executed. He may commit a man to be tried for murder, when no murder has been perpetrated; yet it has never been argued on that account that murderers are to be left to range at freedom, and only give themselves up for trial when they choose.

The only objection against these measures for suppressing blasphemy and sedition, deserving a serious answer, is that which is grounded on the lateness of the measures. Why, say the objectors, did not moral and loyal writers sooner undertake to confute those whose works are now found to be so pernicious; and why did not Government resort to legal proceedings at an earlier period? To both these objections we shall answer frankly we wish they had: yet perhaps when we consider how capricious a thing public opinion is, when we look back but a few months and recollect the state of the public mind, agitated by complaints of general distress, stimulated by vague declamations and senseless petitions, ignorant of the treason that was working unseen and taught to distrust the Government and Legislature from whom alone any real good could come, we ought to own that it is extremely doubtful whether the fair legal prosecution even of a dangerous libel, might not have been construed into a tyrannical attack on the liberty of the Press.—As to the authors who could and did not from the first oppose the growing torrent of wicked publications, they are hardly excusable. We take no part of this blame to ourselves, for as far as we were able, we firmly and consistently discharged our public duty in raising a warning voice against dangers which have since become more apparent: We profess to act in the strictest consistency with those principles which directed all our literary exertions against Buonaparté, while we now oppose the legion of seditious and blasphemous writers who are devoted to Buonaparte's cause, and eager to see the French Revolution imitated in England. These miserable wretches are still numerous and still audacious: we hope the Magistracy will do their part against them, and we promise to do ours. [*The Courier*,—*April* 10.

BOMBAY.—PRINTED FOR THE *PROPRIETORS*, BY M. D. CRUZ, IN BAKE-HOUSE LANE,
WHERE ADVERTISEMENTS, ESSAYS, POETICAL PIECES, ARTICLES OF INTELLIGENCE, &C. &C. WILL BE THANKFULLY RECEIVED.
Gentlemen about to change their stations, are requested to give notice to the PRINTER, *who will pay due attention to their Orders.*